

CRIME VICTIMS RIGHTS BOARD

P.O. Box 7951  
123 West Washington Avenue, Fourth Floor  
Madison, WI 53707-7951

APPEAL RIGHTS

To: \_\_\_\_\_

Date of mailing of decision: \_\_\_\_\_

**A. JUDICIAL REVIEW.** If you think the Crime Victims Rights Board ("CVRB") has issued a final decision that is against your interests, you may seek to have a circuit court review that decision by:

1. **Filing** a petition for judicial review with the court within 30 days of the date on which the CVRB's decision was mailed to you, identified above

**and,**

2. **Serving** that petition for review on the CVRB and on the other parties to this case (all complainants and all respondents). You may have a lawyer help or represent you in seeking judicial review.

**Filing.** A petition for judicial review is a legal document filed with the circuit court that causes the circuit court to review the final decision of an agency such as the CVRB. The petition must state the nature of the Petitioner's interest (*for example*, that the Petitioner was either the complainant or the respondent before the CVRB), the facts showing that the Petitioner is a person aggrieved by the decision (*for example*, that the CVRB made a finding harmful to the Petitioner's interests), and the grounds upon which the Petitioner contends the CVRB's decision should be reversed or modified (*for example*, that the CVRB's findings of fact were not supported by the evidence or that its conclusions of law were unreasonable).

The petition must begin with a caption, which should look like this:

STATE OF WISCONSIN	CIRCUIT COURT	_____ COUNTY
<hr/>		
(YOUR NAME),		
Petitioner,		
v.	Case No.	_____
CRIME VICTIMS RIGHTS BOARD,		
Respondent.		
<hr/>		
PETITION FOR JUDICIAL REVIEW		
<hr/>		
(Begin text of petition here)		

The petition must be filed in the circuit court of the county where the Petitioner resides, except that, if the Petitioner is a state agency, the proceedings shall be in the circuit court of the county where the Respondent resides. If you are uncertain about how to file a petition for judicial review, you should contact the clerk of circuit court for your county.

**Serving.** In addition to filing the petition for judicial review with the circuit court, you must:

1. Serve (provide a copy of) the petition for judicial review, either personally or by certified mail, upon the **CVRB** at the address listed above,  
  
**and,**
2. Serve (provide copies of) the petition upon **all parties** who appeared before the CVRB in this case not later than 30 days after filing the petition in circuit court. The complainant(s) and respondent(s) whose names appear at the end of the decision are considered parties for purposes of judicial review, and they must all receive copies of the petition for judicial review.

Copies of the petition for judicial review must be provided to all complainant(s) and respondent(s) who appeared before the CVRB in one of the following ways:

- a. Personally, or
- b. By certified mail, or
- c. When service is timely admitted in writing, by first class mail. This means that the person receiving service must sign, and return to the Petitioner, a postcard or other document demonstrating that they were timely served with the judicial review papers.

Proceedings for judicial review are governed by Wis. Stat. §§ 227.52 - 227.60.

**B. REHEARING.** If you think the Crime Victims Rights Board (“CVRB”) has issued a final decision that is against your interests, you may file a written petition for rehearing within 20 days of the date on which the CVRB’s decision was mailed to you, identified above. To be timely, the petition for rehearing must be actually received by the CVRB within the 20 day period. Petitions for rehearing are governed by Wis. Stat. § 227.49.

You do NOT need to file a petition for rehearing before you file a petition for judicial review.

A petition for rehearing must specify in detail the grounds for the relief sought. A rehearing will be granted only on the basis of (a) some material error of law, or (b) a material error of fact, or (c) new evidence sufficiently strong to reverse or modify the CVRB’s decision which could not have been previously discovered by due diligence. The CVRB may order a rehearing or enter an order disposing of the petition without a hearing. If the CVRB does not enter an order disposing of the petition within 30 days of the filing of the petition, the petition shall be deemed to have been denied as a matter of law at the end of the 30 day period.

A timely-filed petition for rehearing serves to postpone the deadline for filing a petition for judicial review. If the CVRB serves an order denying the petition for rehearing, a petition for judicial review must be filed and served within 30 days after service of the order denying the petition for rehearing. If the CVRB does not enter an order disposing of a timely-filed petition for rehearing within 30 days of the filing of the petition, and the petition is therefore deemed to have been denied at the end of the 30 day period as a matter of law, a petition for judicial review must be filed and served within 30 days after the denial as a matter of law.